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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

MARK C. et al.,

Petitioners,

v.

THE SUPERIOR COURT OF LOS
ANGELES COUNTY,

Respondent;

LOS ANGELES COUNTY DEPARTMENT
OF CHILDREN AND FAMILY
SERVICES,

Real Party in Interest.

No. B188501

(Los Angeles County Super. Ct.
No. CK29545)

ORIGINAL PROCEEDING; petitions for extraordinary writ. Jacqueline Lewis,
Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Petitions denied.

Helen Yee for Petitioner Mark C., Sr.

Miran Kim for Petitioner Nicole M.

Raymond G. Fortner, Jr., County Counsel, Larry Cory, Assistant County Counsel,
and Frank J. DaVanzo, Principal Deputy County Counsel, for Real Party in Interest.

Law Offices of Lisa E. Mandel and Estaire Press for Minor Christopher C.

Kenneth A. Krekorian for Minor Mark C.

No appearance for Respondent.

Mark C., Sr. (father) and Nicole M. (mother), the parents of Mark C. and Christopher C., petition for extraordinary relief pursuant to California Rules of Court, rule 38 et seq. They seek review of an order setting a permanent plan hearing under Welfare and Institutions Code section 366.26.¹ Father and mother complain that they did not receive adequate notice that they might be denied reunification services before a section 366.26 hearing was set, that the juvenile court erred in denying them reunification services, and that they should have received visitation with the children. We deny the petitions.

FACTS AND PROCEDURAL HISTORY

On January 3, 2005, the Department of Children and Family Services (DCFS) received a call from Arizona's Child Protection Services (CPS) reporting that Mark, then aged 12, and Christopher, then aged 10, were the victims of abuse and neglect by father and mother. The Arizona authorities became involved in late 2004, when the boys' maternal uncle, Matthew, contacted them to report physical and emotional abuse by mother and requested that she be committed to a psychiatric hospital.

¹ All further statutory references are to the Welfare and Institutions Code, unless otherwise indicated.

Arizona Events

According to Matthew, while attending a family funeral in November 2004, mother told Matthew that father was hopelessly addicted to heroin and was beating her constantly. Matthew thereupon traveled to California to assist mother and the boys in moving to Arizona to live with him. Once in California, however, Matthew observed mother engaging in emotional outbursts that suggested the real reason she wanted to leave California was her troubled relationships with others. For example, the day the family was to leave, Matthew witnessed mother yelling hysterically and obscenely at the children's paternal grandmother for an unspecified reason. As the family was driving away, mother's diatribe continued, and she revealed that she had been in an altercation with an employee at Christopher's school and was threatened with jail as a result.

Once in Arizona, Matthew soon witnessed mother strike "Mark in the head so hard open-handed that he fell to the ground and rolled." Over the following days, Matthew saw mother yelling uncontrollably at the boys, interfering with their ability to attend school and complete their homework, and verbally abusing them. Matthew confronted mother when he noticed mother locking herself in the bedroom with the boys, verbally abusing them and sometimes hitting them. According to Matthew, mother reacted by blaming Christopher for turning Matthew against her by telling Matthew and his wife about unspecified things she had done to the boys. Mother then routinely locked herself and the boys in their bedroom in the evenings. During mother's stay with Matthew, Matthew saw mother abuse and threaten the boys on a daily basis.

The situation escalated in late December 2004, when mother had the boys walk with her to a maternal aunt's nearby house (without jackets, despite freezing temperatures), so mother could confront the maternal aunt, Daniella, for siding with Matthew, presumably over mother's treatment of the boys. During that argument, mother reportedly ordered Mark to relieve himself on Daniella's lawn. When Christopher tried to intervene, mother verbally abused Christopher and struck him in the face. Mark began banging his head, rocking, and biting and hitting himself, a reaction to mother's violence

that Matthew had witnessed before. Later that night, after the family was back at Matthew's house, Matthew awoke at 3:15 a.m. to find mother in the living room, listening to a television evangelist's show, waving her arm in the air, and muttering unintelligibly. When Matthew jarred her from her trance and suggested she see a doctor, mother became angry and a fight ensued. The next morning, Matthew learned mother had told neighbors that Matthew and his wife were beating her and the boys, and that they had demons living in their house.

Matthew and Daniella thereupon contacted a psychiatric hospital and arranged an in-home evaluation. While they were away, a maternal uncle, Jason, who was also staying with Matthew, reported that mother was again beating the boys and had also assaulted Matthew's five-year-old daughter. Mother hit Jason in the face when he tried to call the police. By the time authorities arrived to conduct the in-home psychiatric evaluation of mother, they were satisfied she should be placed on a 72-hour hold.

Upon her release from the psychiatric hospital, mother accused Daniella of kidnapping her children. When it became clear that Daniella actually had been given temporary custody of the children by CPS, mother contacted father, who drove to Arizona. On December 29, 2004, CPS released the children to father and mother, and they traveled back to Los Angeles. The Arizona authorities informed DCFS of their encounter with the family. They reported that mother had been hospitalized for mental illness and drug usage, specifically crystal methamphetamine, and had stated she thought her children were demons. They also relayed information that father was a heroin user, had admitted using heroin within the past 30 days, and had tested positive for methadone. Christopher had told CPS that he saw father's needles and had further reported that on December 22, 2004, mother locked him in a bedroom and beat him with a belt, though no bruises were detected on Christopher's body. The Arizona authorities also informed DCFS that Mark was developmentally disabled and had the mental level of a

kindergarten student. Based on the Arizona referral, DCFS contacted the family and provided voluntary maintenance services under an agreement signed in May 2005.²

June 26, 2005 Interview

However, by June 2005, DCFS was unable to locate the family. DCFS soon discovered that mother was incarcerated on charges of making criminal threats and battery against a woman called Mona Doe. Christopher was located on June 26, 2005, at the home of a neighbor, Mrs. G. When interviewed by a social worker at Mrs. G.'s residence, Christopher described mother's conflict with Mona and further revealed extensive abuse he and his brother had suffered over the years at the hands of mother. He stated that he had not disclosed the incidents previously because he feared retaliation by mother, but because she was locked up, he felt safe enough to talk.

Christopher stated mother had a long-running dispute with Mona that began when Christopher was in an altercation with Mona's son at school. In November 2004, mother had been incarcerated for assaulting Mona and had threatened her on at least one other occasion. In early June 2005, Christopher was with mother at a supermarket when mother again encountered Mona and engaged in a verbal altercation. Afterward, mother instructed Christopher to say Mona had begun the argument should DCFS question him about the incident. When Christopher refused to "lie to stick up for" mother, mother cornered Christopher in the living room of their home and beat him bloody, threatening

² Notably, the Arizona referral was not the first report of neglect and abuse of the children DCFS had received. DCFS records showed that from January 3, 1993, when Mark was born, to November 3, 1993, the family was under court-ordered supervision, for an unspecified reason. Court-ordered supervision occurred again from June 12, 1997, to November 10, 1998, after DCFS received a report that the children were being physically abused. Physical abuse was again alleged in 1999, but the allegations were inconclusive. On July 29, 2003, there was a report of emotional abuse, but the matter was closed as unfounded.

to kill him. Mark reportedly banged his head as the incident occurred. While Christopher was cleaning up in the bathroom later, mother again hit Christopher in the chest, causing a “shock” to his heart that caused him to “breathe softly.” It was not the first time mother had hit Christopher in the heart.

A few days later, mother was driving down Mona’s street, gesturing and cursing at Mona’s family, when Mona’s sister threw oranges at the car. Mother said Christopher should tell DCFS, if asked, that Mona’s sister had started the dispute by throwing the oranges, and to further say that an orange had entered the car and hit Christopher in the mouth as a means of explaining away an injury to his lip.³ Indeed, Mrs. G. reported that later the same day, mother arrived at her door to display Christopher’s split lip and blamed Mona’s sister for causing it. Christopher did not endorse mother’s story. Instead, soon after he and mother went home, Christopher returned and told Mrs. G. that mother had hit him in the mouth, not an orange. Mrs. G. told Christopher to run home before mother noticed he was missing.

Mrs. G. continued the narrative. The following day, Father’s Day of 2005, Mrs. G. witnessed mother driving erratically in front of Mrs. G.’s house. Mother had the boys in the car with her, as well as a neighbor’s child. Mother pulled onto the grass in front of Mrs. G.’s home and jumped out of the car to approach Mrs. G., with the children following. Mother was angry and yelled to Mrs. G. that she had “kicked [Mona’s] ass,” wanting a “high five” from Mrs. G. Mother asked Mrs. G. to return to the park with her to again confront Mona. Mrs. G. refused and pulled two of the children into her house.⁴ A police report confirmed that on June 16, 2005, mother physically assaulted Mona at the

³ The record is not clear as to whether the injury to Christopher’s lip was caused during the beating in the living room or another incident.

⁴ Mrs. G. apparently could not reach Mark, who was at the side of her porch, banging his head on a beam. He ran home when mother pounded on Mrs. G.’s wall.

park where Mona's son was playing in a baseball game, first telling the son that she would kill his mother.⁵ It was that incident that led to mother's June 2005 incarceration.

Christopher and Mrs. G. described other acts of physical and emotional abuse perpetrated by mother. In October 2004, Mrs. G. had invited the boys to her house for a Halloween party. Mother gave the boys permission to attend and apparently accompanied them to the party. However, halfway through the evening, mother grabbed Christopher and pulled him out of the house, slapping him twice on the back of the head, and called the party-goers devil worshipers. In the yard in front of Mrs. G.'s house, mother made Christopher remove his doctor costume, doused it with lighter fluid, and set it on fire. She then made Christopher carry the torched remains to the trash in front of his friends, humiliating Christopher.⁶ Mrs. G. also recalled that on at least two occasions, mother told her and Mrs. G.'s daughter, in the presence of both Mark and Christopher, that doctors had stated Mark would not live past 14, which caused Mark to cry. Later, Mrs. G. reported that she had witnessed mother routinely threaten and demean the boys, and had seen red marks on Christopher's body that he said were caused by mother hitting him.

Christopher and Mrs. G. also described mother's recent attempts to silence them about mother's treatment of the boys. Mother had called Christopher and Mrs. G. from jail, telling both of them to lie to DCFS and law enforcement about the abuse. She threatened to retaliate against Christopher and Mrs. G. if she learned they had told the authorities of her actions. Indeed, the social worker noted Matthew had stated that while the family was in Arizona, he witnessed mother hold Christopher's face inches from her own and threaten to kill Christopher, Mark, and anyone who had anything to do with taking the boys away from her.

⁵ During interviews with police, mother claimed Mona started the incident.

⁶ The record does not indicate what Mark was doing during this episode.

Other relatives confirmed mother's violent nature. The children's paternal aunt, who lives with the paternal grandmother, reported that she had to get a restraining order against mother after mother repeatedly came to their house to scream at them. In particular, on March 24, 2002, Mark had run to the paternal grandmother's home after father and mother engaged in a fight, and mother had followed him. Sheriff's deputies were called after mother assaulted the paternal aunt who confronted mother, while Mark hid in the bedroom, banging his head. In the declaration supporting her application for a protective order, the paternal aunt also reported that she believed mother was generally angry with her because she had taken custody of both boys after each was born drug addicted.⁷

During the June 26, 2005 interview, Christopher also related information to the social worker regarding father. Christopher stated that father was a continuing heroin user. Although he failed to reunify with the boys during a prior dependency case,⁸ and is not supposed to have unmonitored contact with them, mother allows father to take the boys out. Father has taken them to the park where father purchases heroin, cooks it, and shoots up. Father, while high, then drives home with the boys in the car. However, Christopher reported that father is happy after shooting up, so the boys do not mind being with him. Christopher did not mention any abuse by father, but stated father does not like it when mother hits them and yells at her to stop, albeit without effect. Later, Mark also made reference to father's continued drug use.

⁷ If Mark was, in fact, born drug addicted, that may be the reason the family was under court-ordered supervision from January to November of 1993.

⁸ The record does not contain information on the prior dependency case.

Additional Abuse Allegations

DCFS detained the boys after June 26, 2005, and a detention hearing was scheduled for July 14, 2005. Prior to that hearing, Christopher expressed concern that his mother would learn where he was and stated emphatically that he did not want to be returned to mother again. In fact, he did not want to see or talk to her at all. A criminal records check indicated both father and mother had criminal histories. The juvenile court approved the detention. Father was granted monitored visits with the children. Mother was initially denied visitation, but was later allowed monitored visits at DCFS with only Mark. The juvenile court issued a restraining order directing mother to otherwise stay away from the boys and Mrs. G., with whom the boys were placed. DCFS also filed a section 300 petition alleging father and mother had inflicted serious physical and emotional harm to the boys, had failed to protect them, had been cruel to them, and had abused a sibling. Mother's violence and both parents' drug use were specifically alleged as factors contributing to the abuse and neglect.

The section 300 petition was amended twice after its initial filing. First, on August 22, 2005, DCFS added allegations that father had personally abused the boys. After detention, social workers had interviewed Mark, who not only confirmed he and Christopher were regularly terrorized and beaten by mother, but also stated that father routinely hit him with a hand or the buckle end of a belt.⁹ Christopher also stated that father used to kick him while wearing steel-toed boots, once in the mouth when Christopher refused to play baseball. Though Christopher was taken to the doctor for a

⁹ DCFS noted Mark only revealed that information during a second interview. During an initial interview conducted on August 11, 2005, Mark had denied mother beat him or Christopher, but after the court hearing in which the restraining order against mother issued, he felt safe enough to admit mother's conduct. During the second interview conducted on August 16, 2005, Mark also talked about mother's threat to throw the boys off a cliff if they should tell anyone about the abuse.

broken tooth as a result, father told the doctor that Christopher had injured himself sliding into second base.

The second amendment to the section 300 petition was filed September 13, 2005, this time adding allegations that both father and mother sexually abused the boys. Christopher had resisted examination by a doctor on or before August 30, 2005, because he did not want to remove his pants. He told the doctor that his father used to touch him between his legs. This touching began when he was about five years old, and mother also used to touch him. The parents also touched Mark. In addition, Christopher stated that his parents used to require the boys to be in the room while they were engaging in sex. Mark confirmed that the parents had touched his penis, had required him to watch them having sex, and stated the parents often walked around the house naked.

Adjudication Hearing

An adjudication hearing on the second amended petition began on November 22, 2005, and continued over several days. At that hearing, the juvenile court received multiple reports from DCFS detailing the abuse heretofore described and reporting on the boys' progress since they were removed from the parents' custody. The boys were generally thriving in Mrs. G.'s care and were excelling in school. A clinical assessment report, conducted between October 10, 2005, and November 10, 2005, indicated that the boys' behaviors were consistent with reported physical, sexual, and verbal abuse. Therapists who assessed the boys noted their fear of both parents, particularly mother. Mark admitted to head banging when he thinks about mother. Christopher was so angry his body would shake and teeth chatter when discussing his parents, and he admitted to nightmares. The therapists recommended extensive counseling for the boys to address sexual, physical, and verbal abuse.

Social workers and Mrs. G. also reported on the boys' reactions to visits with the parents. Mark would occasionally visit with mother at DCFS offices as ordered, but began to act out prior to visits and repeatedly stated he did not want to see mother. When

cajoled into attending a visit, Mark would interact with mother positively, but as soon as she was gone would state he did not want to see her again, though he was afraid to say so in front of her. The monitors also noticed Mark regressed during mother's visits and acted like a much younger child. Additionally, after visits, Mark would behave violently toward Christopher, which both Mark and Christopher confirmed. Mark also had telephone contact with father, but was similarly reluctant to participate in the calls or agree to another unless convinced by the social worker.

Meanwhile, Christopher was adamant that he wanted nothing to do with either parent and did not have contact with them. In fact, during a telephone call between Mark and father, when father asked to say hello to Christopher, Christopher simply yelled obscenities into the phone and accused father of trying to butter him up prior to a court hearing. Christopher also refused the gift of a go-cart father had left for the boys at Mrs. G.'s house, opting instead to return the car and use the money for clothes and toys he and Mark wanted. The social worker and Mrs. G. also reported that father and father's relatives tried to enlist Mrs. G.'s help in getting Christopher to change his story regarding father's conduct, though Mrs. G. repeatedly refused.

The juvenile court also took testimony from the parties upon father's and mother's request. Both Mark and Christopher testified, reiterating the descriptions of physical, emotional, and sexual abuse that DCFS had reported. The boys also related their parents' instructions to lie about their injuries to doctors and teachers, and mother's threats to kill them if they told. They further described mother's violence toward others, and father's drug use. Father also testified. He denied hitting either boy. He also denied seeing mother hit the boys. He stated that he only hit or wrestled with the boys during play. He attributed injuries to Christopher on Mark's pushing or hitting his little brother. Father admitted using heroin as recently as February 2005, but said he did not do so in front of the boys. Father believed Christopher obtained his understanding of drug use by watching police shows on television. Father also denied he or mother touched the boys sexually or made them watch sexual activity. Father pointed out that before mother took the boys to Arizona, Christopher had written a letter stating that he loved father,

considered father the best father in the world, and would prefer to live with father should his parents separate.

Mother planned to testify, but chose not to. Just before the continued adjudication hearing, she and father were arrested on unspecified felony charges with bail set at \$3 million. Accordingly, the matter proceeded to argument, where DCFS, joined by both children's counsel, requested that no family reunification services be offered to father or mother under section 361.5, subdivision (b)(6), which precludes family reunification for parents found to have severely abused their children unless it would benefit the children to receive reunification services. The juvenile court agreed. After sustaining the section 300 petition as amended and declaring the children to be dependents of the court, the juvenile court found that no family reunification should be ordered pursuant to section 361.5, subdivision (b)(6). On its own motion, the court also found that reunification should be denied under section 361.5, subdivision (e)(1), which provides that, in the case of an incarcerated parent, reunification services need not be offered if clear and convincing evidence reveals services would be detrimental to the children. Visitation was denied. These petitions followed.¹⁰

DISCUSSION

Adequacy of Notice

Father and mother begin with a challenge to the order denying reunification services, arguing they did not receive adequate notice such an order was being sought by

¹⁰ Father and mother move this court to entertain their petitions, although they signed notices of appeal regarding the ruling rather than notices of intent to file writ petitions. Such notices were timely filed by their attorneys once the mistake was detected, but were not personally signed by the parents because they were incarcerated. DCFS has no opposition to the motions. The motions are granted. (Cal. Rules of Court, rule 38(e)(3).)

DCFS. They contend section 358, subdivision (a)(3), required that they be provided at least 30 days' notice that DCFS intended to seek an order denying reunification services. In fact, that section states that if a social worker is alleging subdivision (b)(6) of section 361.5 is applicable, the court shall continue proceedings for a period "not to exceed 30 days." That is in order to permit the social worker time to notify the parents of the provisions of section 361.5, subdivision (b), and alert them that a permanency planning hearing regarding their children might be set. (§ 358, subd. (a)(3).)

However, despite their current protest, neither father nor mother objected at the time DCFS requested an order denying reunification services on the basis that they had not received adequate notice. They did not indicate that they required further time to prepare an argument in opposition, and thereby permit the juvenile court to remedy any error in the notice given. Instead, based on the extensive evidence presented at the adjudication hearing, father and mother both proceeded to address the merits of the evidence and argue why they should be provided with reunification services. They thus forfeited their ability to raise the issue of inadequate notice in the appellate court. (*In re Wilford J.* (2005) 131 Cal.App.4th 742, 754.) Indeed, even now, neither father nor mother posit any additional argument they might have developed had additional time been allowed for them to consider DCFS's request for denial of reunification. Mindful of the need for prompt and decisive action when the future of dependent children is at stake, appellate courts will not take up forfeited issues for technical reasons alone. (*Ibid.*; see also, *In re Celine R.* (2003) 31 Cal.4th 45, 59-60 [harmless error test applies to dependency proceedings]; *Denny H. v. Superior Court* (2005) 131 Cal.App.4th 1501, 1515 [same].)

Moreover, father and mother do not challenge the separate ground upon which the juvenile court denied reunification: section 361.5, subdivision (e)(1). That section provides that reunification should normally be permitted for incarcerated parents, "unless the court determines, by clear and convincing evidence, those services would be detrimental to the child." In this case, father and mother were incarcerated just a few days before the adjudication hearing concluded. Once it was determined father and

mother were imprisoned, the juvenile court was left to consider whether it would be detrimental to the children to provide reunification services. (See *Edgar O. v. Superior Court* (2000) 84 Cal.App.4th 13, 17-18 [incarceration, not conviction, supports denial of reunification services under § 361.5, subd. (e)(1)].) Noting the evidence of long-term abuse, the utter lack of any parent-child bond, and the need to assure the boys they were safe from further violence, the juvenile court appropriately found clear and convincing evidence upon which to deny reunification services.

Denial of Reunification

Father and mother further challenge the sufficiency of the evidence underlying the juvenile court's decision to apply section 361.5, subdivision (b)(6), to this case, arguing there is no evidence the abuse was documented by medical or psychological professionals. Their attack is essentially on the credibility of their children. They assert the decisions in *Deborah S. v. Superior Court* (1996) 43 Cal.App.4th 741 and *Raymond C. v. Superior Court* (1997) 55 Cal.App.4th 159 provide examples of what is really required to show abuse: scars, bruises, and X-rays revealing fractured bones. However, there is no requirement in section 361.5, subdivision (b)(6), that a finding of abuse be supported by medical records. Rather, section 361.5, subdivision (b)(6) states: "A finding of severe sexual abuse, for the purposes of this subdivision, *may be based on, but is not limited to*, [evidence of] the penetration or manipulation of the child's, sibling's, or half-sibling's genital organs or rectum by any animate or inanimate object for the sexual gratification of the parent or guardian, or for the sexual gratification of another person with the actual or implied consent of the parent or guardian." And, "[a] finding of severe physical harm, for the purposes of this subdivision, *may be based on, but is not limited to*, [evidence of] deliberate and serious injury inflicted to or on a child's body or the body of a sibling or half-sibling of the child by an act or omission of the parent or guardian, or of another individual or animal with the consent of the parent or guardian; deliberate and torturous confinement of the child, sibling, or half-sibling in a closed space; or any other

torturous act or omission that would be reasonably understood to cause serious emotional damage.” (Emphasis added.)

In other words, there is nothing in the statute to indicate the Legislature only meant to protect children who wound up in a physician’s office with severe injuries. To the contrary, the statute places no limit on the type of evidence the juvenile court may consider in finding abuse.

In this case, there was ample evidence of sexual, physical, and emotional abuse of the boys to satisfy the statutory definitions. For example, there was evidence: from both boys that father and mother touched their penises; the parents required the boys to watch them have sex; father and mother beat each of the boys with hands, belts, sticks and boots; the boys were locked in their room and beaten; the boys’ injuries were shown to other adults, and the parents lied or instructed the boys to lie about the origin of the injuries; the boys were threatened with death should they tell of their abuse; the boys were humiliated in front of others; Mark was told he was going to die; the parents used drugs in the boys’ presence; the boys lived in a generally violent atmosphere; and the abuse was substantiated by numerous adult witnesses, including Mrs. G., Matthew, Daniella, Jason, the paternal aunt, and the paternal grandmother, not to mention CPS. Indeed, several of those adults were eyewitnesses to the physical and emotional abuse. In short, there was substantial evidence of abuse to support the application of section 361.5, subdivision (b)(6) to this case.

In fact, there was a report by therapists who interviewed and tested the boys concluding that they had been subjected to severe physical and sexual abuse. A doctor who tried to examine Christopher also reported Christopher was reluctant to be examined because he did not wish to remove his pants due to prior sexual abuse. Those two reports satisfy the very standard of evidence father and mother would impose on findings made under section 361.5, subdivision (b)(6). Thus, even if it were well-taken, their argument would fail from the outset.

Father and mother further complain that the social worker did not present evidence that reunification should be denied as not being in the best interests of the children. They

essentially argue that the juvenile court was bound by the social workers' interpretation of the evidence contained in their reports. That is not the case. (E.g., § 361.5, subd. (b) [findings on whether to deny reunification are to be made by the court based on clear and convincing evidence].) Regardless of whether the social workers believed the evidence suggested reunification services should be denied, the reports submitted to the court contained evidence the court could consider in reaching its own conclusion. Moreover, to the extent father and mother are attempting to reassert their earlier argument regarding the adequacy of notice, as was noted, neither father nor mother objected that they were not alerted denial of reunification might occur. Nor do they now demonstrate how their arguments might have differed had a recommendation for no reunification been asserted in the social workers' reports. Again, their arguments fail.

Visitation Order

Finally, father and mother complain the juvenile court erred in denying them visitation and request that visitation be reinstated. However, the juvenile court found there was no parent-child bond in this case, and the evidence showed the children were actually afraid of their parents, not even wanting to speak to them on the telephone. In fact, the boys were thriving since their removal from father and mother's custody. Given the additional evidence of relentless abuse by the parents, and evidence the parents tried to get the boys to change their stories, there is substantial evidence supporting the juvenile court's conclusion that visits with the parents would be detrimental to the boys. (*In re Mark L.* (2001) 94 Cal.App.4th 573, 580-581.)

DISPOSITION

The petitions for extraordinary relief are denied. This opinion shall become final immediately upon filing. (Cal. Rules of Court, rule 24(b)(3).)

KRIEGLER, J.

We concur:

ARMSTRONG, Acting P. J.

MOSK, J.